

# AGENDA



# COUNTY OF LAKE BOARD OF SUPERVISORS

Supervisor Jim Comstock - District 1  
Supervisor Jeff Smith - District 2  
Supervisor Denise Rushing - District 3  
Supervisor Anthony Farrington - District 4  
Supervisor Rob Brown - District 5

Any person may speak for three (3) minutes on any agenda item; however, total public input per item is not to exceed 15 minutes, unless extended at the discretion of the Board. This rule does not apply to public hearings. Non-timed items may be taken up at any unspecified time.

\*\*\*\*\*

The Lake County Board of Supervisors meets concurrently as the Board of Directors of Lake County Air Quality Management District, Board of Directors of Lake County Watershed Protection District, Board of Directors of Kelseyville County Waterworks District #3, Board of Directors of Lake County Sanitation District, Lake County Housing Commission, Lake County Redevelopment Agency, Lake County Board of Equalization and Board of Directors of Lake County In-Home Supportive Services Public Authority.

\*\*\*\*\*

Agendas of public meetings and supporting documents are available for public inspection in the Lake County Courthouse, Board of Supervisors Office, First Floor, Room 109, 255 North Forbes Street, Lakeport, California.

\*\*\*\*\*

**REQUEST FOR DISABILITY-RELATED MODIFICATION OR ACCOMMODATION:** A request for a disability-related modification or accommodation necessary to participate in the Board of Supervisors meeting should be made in writing to the Clerk of the Board at least 48 hours prior to the meeting.

## DECEMBER 6, 2011

**CALL TO ORDER - 9:00 A.M.**  
**MOMENT OF SILENCE**  
**PLEDGE OF ALLEGIANCE**

**LAKE COUNTY COURTHOUSE**  
**255 NORTH FORBES STREET**  
**LAKEPORT, CA 95453**

### TIMED ITEMS

- A-1 Board of Supervisors **9:00 A.M.** **APPROVAL OF CONSENT AGENDA** - (See listing following the Regular Agenda) - Consent Agenda items are expected to be routine and noncontroversial. They will be acted upon by the Board at one time without discussion. Any Board member may request that any item be removed from the Consent Agenda for later discussion
- A-2 Lake County Animal Care and Control Services Presentation of animals that are available for adoption at the Lake County Animal Care and Control Shelter
- A-3 Board of Supervisors **CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA** - Consideration of items not appearing on the posted agenda, if necessary, requires the following Board action prior to consideration: (1) A determination by a majority vote of the Board that an emergency situation exists (as defined in Section 54956.5 of the Brown Act); or (2) A determination by a two-thirds vote of the legislative body or if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the County subsequent to the agenda being posted
- A-4 Board of Supervisors Current Construction Projects - Contract Change Orders

### CITIZEN'S INPUT

- Public **9:05 A.M.** Any person may speak for three minutes about any subject of concern, provided that it is within the jurisdiction of the Board of Supervisors and is not already on today's agenda. Prior to this time, speakers must fill out a slip giving name, address and subject (available in the Clerk of the Board's Office, First Floor, Courthouse)
- A-5 Sheriff/District Attorney **9:10 A.M.** **PUBLIC HEARING** - Consideration of recommendations for allocation of Supplemental Local Law Enforcement Services Funds (SLESF)

- A-6 Public Services **9:15 A.M. PUBLIC HEARING** - (a) Discussion/consideration of proposed purchase of real property consisting of land located at 7130 Konocti Road, Kelseyville, CA (APN 009-003-03 - Lawrence J. Mazzola and Stephanie Mazzola), selling price \$91,000, to be used as additional access to public county park area on Mt. Konocti; and (b) Discussion/consideration of proposed purchase of real property consisting of land located at 6500 Konocti Road, Kelseyville, CA (APN 009-003-02 - Douglas Harbey and Carole Harbey), selling price \$5,600, to be used as additional access to public county park area on Mt. Konocti
- A-7 Public Services **9:25 A.M. PUBLIC HEARING** - Public bid opening and consideration of proposals in the upgrade of telecommunications equipment for the provision of cellular telephone services in Lake County
- A-8 Water Resources **9:30 A.M.** Presentation and request for Board direction on a proposal by Meridian Construction Company for nuisance algae collection in Clear Lake  
  
**Continued from October 25 and November 1, 2011**
- A-9 Supervisor Rushing **10:15 A.M.** Discussion/consideration of proposed Resolution supporting the mandatory labeling of genetically engineered food
- A-10 Lake County Animal Care and Control **11:00 A.M. HEARING** - Appeal of Vicious Animal Abatement Orders located at 22430 East Road, Middletown, CA (Justin Milne and Amanda Glover)
- A-11 Habematolel Pomo of Upper Lake **11:30 A.M.** Presentation of update regarding status of new casino project in Upper Lake
- A-12 Lake County Redevelopment Agency (The Board of Supervisors adjourns and convenes as the Board of Directors of the Lake County Redevelopment Agency) **1:30 P.M.** Annual meeting of the Lake County Redevelopment Agency and presentation of the Agency's Annual Report for Fiscal Year 2010/2011 (Northshore Project Area)
- A-13 Water Resources **1:45 P.M.** Consideration of request for Board direction regarding proposed modifications to the Quagga Mussel Prevention Program
- A-14 Supervisor Farrington **2:00 P.M.** Presentation of update and possible Board direction regarding Code Enforcement actions relative to marijuana dispensaries
- A-15 Administrative Office **2:30 P.M.** (a) Discussion/consideration of request to rescind "Economic Development Project Procedures"; (b) Discussion/consideration of request to rescind "Performance Based Development Incentive Policy"; (c) Discussion/consideration of request to approve amended "Policy on Fee Waivers"; and (d) Discussion/consideration of request to approve and adopt the "Fee Waiver and Deferral Policy for Economic Development Projects" (per Board direction of November 15, 2011)

**NON-TIMED ITEMS**

- A-16 Board of Supervisors Supervisors' weekly calendar, travel and reports
- A-17 Board of Supervisors Consideration of the following appointments:  
Glenbrook Cemetery District  
Middletown Cemetery District  
  
**Continued from November 15, 2011**
- A-18 Board of Supervisors **CLOSED SESSION** - (a) Public Employee Disciplinary Appeal No. EDA 2011-06, Government Code Section 54957
- A-19 Administration/Sheriff Discussion/consideration of proposed Resolution amending Resolution No. 2011-153 establishing salaries and fringe benefits for Management Employees for Fiscal Years 2011-12 and 2012-13 (adding position of Undersheriff to eligibility list for educational incentive)
- A-20 Public Services Consideration of proposed Resolution approving the reversion of title to certain real property previously used as a garbage disposal transfer site from the County of Lake to the City of Lakeport

**CLOSED SESSION**

- A-21 Board of Supervisors/County Counsel 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, S. Harry, L. Guintivano, M. Perry and J. Hammond; and (b) Employee Organization: LCEA, DSA, LCCOA and DDAA

2. Public Employee Performance Evaluation:  
Title: Health Services and Veterans Services Director

3. Conference with Legal Counsel: Significant exposure to litigation pursuant to Government Code Section 54956.9 (b)(1)(A): One potential case

**CONSENT AGENDA**

- C-1 Board of Supervisors Approve Minutes of the Board of Supervisors meeting held on November 15, 2011.
- C-2 Registrar of Voters Approve Certified Statement of the Results of the November 8, 2011 General District Election.
- C-3 Mental Health Approve Amendment to the Agreement between the County of Lake and Modesto Residential Living Center, for a decrease in the total compensation amount of \$70,000, and authorize the Chair to sign.
- C-4 Public Services Approve request to waive 900 hour limit for extra-help Parks Maintenance Worker David Treadway.
- C-5 Public Works Approve permit to conduct aeronautical activities at Lampson Field Airport (Jack Olof), and authorize the Chair to Sign.
- C-6 Public Works Approve permit to conduct aeronautical activities at Lampson Field Airport (Steve's Aircraft), and authorize the Chair to Sign.
- C-7 Public Works Approve permit to conduct aeronautical activities at Lampson Field Airport (Lake Aero Styling & Repair), and authorize the Chair to Sign.
- C-8 Public Works Adopt Resolution authorizing the Director, Public Works Department, to sign a Notice of Completion for work performed under Agreement dated August 2, 2011 (Morgan Valley Road PM 8.81, Lake County, Bid No. 10-12).
- C-9 Public Works Adopt Resolution authorizing the Director, Public Works Department, to sign a Notice of Completion for work performed under Agreement dated September 28, 2011 (Elk Mountain Road PM 35.9, Lake County, Bid No. 11-12).
- C-10 Public Works (a) Approve Budget Transfer B-50, from Budget Unit 9907 ISF Heavy Equipment, in the amount of \$2,771, to purchase a flat bed truck with snow plow; and (b) Award Bid No. 12-07 to Lakeport Ford, in the amount of \$57,770.64, for one (1) new Ford F450 4WD Ext Cab Flat-bed Truck with Snow Plow; and authorize the Chair to sign.
- C-11 Public Works Adopt Resolution declaring intent to vacate a portion of a roadway, Malpas Way, in the County of Lake, and **setting the public hearing for January 3, 2012, at 1:30 P.M.**
- C-12 Sheriff Approve the 2009/10 and 2010/11 annual report for the Inmate Welfare Trust Fund #460.
- C-13 Sheriff Approve Agreement between the County of Lake and the County of Sacramento, for FY 2011/12 and 2012/13 forensic pathology services, in an amount not to exceed \$30,000, and authorize the Chair to sign.
- C-14 Sheriff Approve Federal Annual Certification Report (asset forfeiture funds received and expended during the fiscal year), and authorize the Chair to sign.
- C-15 Social Services Approve First Amendment to the Agreement between the County of Lake and Dan Gardner (dba Fiscal Experts, Inc.), for an increase in maximum compensation of \$20,000, for web-based Time Study Buddy service, and authorize the Chair to sign.

**LAKE COUNTY SANITATION DISTRICT BOARD OF DIRECTORS**

- C-16 LACOSAN Approve Second Amendment between the Lake County Sanitation District and the State Water Resource Control Board, implementing AB 2356, placing interest payments for the Northwest Regional Wastewater Treatment Plant Improvement Project (Basin 2000) into the Small Communities Wastewater Grant Program, and authorize the Special Districts Administrator to sign.

C-17 LACOSAN

Approve Escrow Agreement between the Lake County Sanitation District, Preston Pipelines, Inc. and Comerica Bank for security deposits in lieu of retention for retainage on the Southeast System Pump Station and Force Main Project, and authorize the Special Districts Administrator to sign.

C-18 LACOSAN

Approve Easement Deed and direct Clerk to certify for recordation (APNs 010-043-33, 010-043-44 and 010-043-45- ClearLake Highway 53 Associates, L.P.), and authorize the Chair to sign.